

### **REMARKS**

Claims 1-37 were pending in the Application prior to this amendment. Claims 17-32 have now been canceled, claims 33 and 37 have been amended, and new claims 38-42 have been added.

Applicants thank Examiners, Melvin A. Cartagena and Kevin P. Shaver, for the courtesies extended to Applicants' representative, David W. Dorton, during the personal interview conducted April 8, 2008. During the interview, independent claims 1, 18, 19, 22, 25, and 28 were discussed with respect to U.S. Patent No. 4,200,207 to Akers et al. and U.S. Patent No. 6,089,413 to Riney et al. Specifically, Applicants' representative explained how the rejections of claims 1-16 under 35 U.S.C. §112 were improper, as discussed more fully in the response filed February 21, 2008. The Examiners indicated that these arguments were persuasive and agreed to withdraw the rejections of claims 1-16 under 35 U.S.C. §112. No agreement was reached with respect to the rejections of claims 17-37 under 35 U.S.C. §103. Claims 17-32 have been canceled and replaced with new claims 38-42 to reduce the number of independent claims, as discussed more fully below. Applicants respectfully request reconsideration in view of the personal interview and the remarks set forth herein.

### **Claims Rejected Under 35 U.S.C. §112**

Claims 1-16 stand rejected under 35 U.S.C. §112, first paragraph. During the personal interview conducted April 8, 2008, the Examiners indicated that the rejections of claims 1-16 under 35 U.S.C. §112 should be withdrawn. Accordingly, Applicants

respectfully request that the rejections of claims 1-16 under 35 U.S.C. §112 now be withdrawn.

**Claims Rejected Under 35 U.S.C. §103**

Claims 17-20, 22, 23, 25, 26, 28-32, and 37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Riney '413 in view of Akers '207. Claims 21, 24, 27, and 33-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Riney '413 and Akers '207, in further view of U.S. Patent No. 5, 523,682 to Leon. Claim 36 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Riney '413, Akers '207, and Leon '682, in further view of U.S. Patent No. 4, 543,649 to Head et al. Claims 17, 18, 19, 22, 25, 28, 29, 31, 33, and 37 are the only independent claims of these rejected groups. Claims 17-32 have been canceled herein, without prejudice and reserving the right to pursue the subject matter of these claims in a continuing application.

Claim 33 has been amended to recite:

preventing backflow of liquid from the recirculation path to the dispensing module when the dispensing module is cycling from the open condition to a closed condition and the pressure of the liquid in the recirculation path is greater than the pressure of the liquid in the dispensing path.

Claim 37 has been amended to recite:

a check valve positioned in said recirculation path and configured to prevent backflow of the liquid within said recirculation path to said dispensing module when the pressure of the liquid in said recirculation path is greater than the pressure of the liquid in said distribution passageway.

The amendments to claims 33 and 37 incorporate subject matter originally recited in claim 1, which was indicated to be allowable. Applicants respectfully submit that amended claims 33 and 37 are not disclosed by the references of record. Specifically, Riney '413, Akers '207, and Leon '682 all fail to disclose "preventing backflow of liquid from the recirculation path to the dispensing module when the dispensing module is cycling from the open condition to a closed condition and the pressure of the liquid in the recirculation path is greater than the pressure of the liquid in the dispensing path," as recited in claim 33. Similarly, Riney '413 and Akers '207 fail to disclose a check valve configured to prevent backflow of liquid within a recirculation path to a dispensing module when the pressure of the liquid in the recirculation path is greater than the pressure of the liquid in a distribution passageway, as set forth in amended claim 37. For at least these reasons, Applicants respectfully request that the rejections of claims 33 and 37 be withdrawn.

Claims 34-36 each depend from independent claim 33 and are in condition for allowance for at least the reasons discussed above with respect to independent claim 33. Accordingly, Applicants respectfully request that the rejections of claims 34-36 be withdrawn.

#### **New Claims**

New claims 38-42 have been added. Each of claims 38-42 depends from amended claim 37 and recites features originally recited in claims 17-23, which have been canceled by this amendment. Applicants respectfully submit that no new matter

has been added by claims 38-42. Applicants further assert that claims 38-42 are in condition for allowance for at least the reasons discussed above with respect to independent claim 37. Early and favorable indication of allowance is therefore respectfully requested.

### **Conclusion**

In view of the foregoing amendments to the claims and the remarks set forth herein, Applicants believe this case is in condition for allowance and respectfully request allowance of the pending claims. If the Examiner believes any issue requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants do not believe that any fee is due in connection with this submission. However, if any fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,

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